

## EXHIBIT 1



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February 17, 2023

VIA EMAIL

Michael K. Kellogg, Esq.  
Kellogg, Hansen, Todd, Figel  
& Frederick, P.L.L.C.  
Sumner Square  
1615 M Street, N.W., Suite 400  
Washington, D.C. 20036

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Mr. Kellogg,

We write concerning your February 16 letter to the Court. We object to your sending correspondence and purporting to conduct meet-and-confer discussions that involve the *Ashton* claims but exclude *Ashton* counsel. The *Ashton* plaintiffs have their own separate complaint against Saudi Arabia and *Ashton* counsel must be included in any communications that affect their claims.

We have views regarding the proposals and scheduling issues set forth in your letter. We would have liked to share our views with you in advance of any meet-and-confer discussions or correspondence with the Court. Since we were not included in your videoconference and had no notice until we received your letter, we are now attempting to cure your oversight by sharing our proposals with you as follows:

- A status conference should be held with the Court to discuss the schedule with the parties.
- The schedule should account for the pending motions regarding the recent Rule 54(b) Order, ECF 8862. The *Ashton* plaintiffs plan to file a motion for reconsideration of that Order.
- Any schedule regarding the jurisdictional issue should provide for simultaneous exchange by the parties of their respective submissions. We believe that each side should have at least four months from the date of the status conference to assemble their respective submissions.
- We expect that the submissions will include, at minimum: our respective statements of facts; outstanding discovery issues; exhibit lists; witness lists; *in limine* challenges (including expert challenges); and pre-hearing memoranda of law setting forth the basis

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for jurisdiction (Plaintiffs) and defendant's opposition to jurisdiction / motion to dismiss (Saudi Arabia). Together with these simultaneous initial submissions, each party will provide the Court with an estimate of the time necessary to present its case at the jurisdictional hearing.

- The schedule should then allow the parties a further three months to exchange their respective responses, objections, and opposition memoranda of law to each adverse party's initial submissions.
- Finally, the schedule should allow one month for the parties to exchange their replies to each other's responses, objections and opposition memoranda.

We are available to meet and confer regarding these proposals at your earliest convenience.

Very truly yours,

Kreindler & Kreindler LLP



Steven R. Pounian

SRP:lr

cc: Dorothea M. Capone, Esq.  
Jeanne M. O'Grady, Esq.  
Jodi Westbrook Flowers, Esq.  
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